

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

**CHARLESTON DIVISION**

COLUMBIA GAS TRANSMISSION, LLC,

Plaintiffs,

v.

CIVIL ACTION NO. 2:18-cv-00044

466.19 ACRES OF LAND, MORE OR LESS,  
IN CABELL, JACKSON, MASON, PUTNAM,  
ROANE, AND WIRT COUNTIES, WEST VIRGINIA; et al.,

Defendants.

**MEMORANDUM OPINION AND ORDER**

Before the Court is Columbia Gas Transmission, LLC's ("Columbia") Motion for an Order of Condemnation and for Preliminary Injunction filed in both of these two consolidated cases. (ECF Nos. 6, 118.) The Court held a hearing on the motions on February 28, 2018, at which time the Court made part of the record the exhibits, transcript, and resulting memorandum opinion and order from a February 16, 2018, hearing in this action's companion cases currently pending before Judge Irene M. Keeley in the United States District Court for the Northern District of West Virginia. (ECF Nos. 211, 212, 213.) Those companion cases involve the same natural gas pipeline project at issue in this matter that the Federal Energy Regulatory Commission authorized pursuant to a certificate of public convenience and necessity issued on December 29, 2017. (*See* ECF No. 1-1.)

For the reasons discussed in Judge Keeley's memorandum opinion and order entered in the Northern District of West Virginia's companion cases on February 21, 2018, (*see* ECF Nos. 213-

2, 213-3), this Court **GRANTS** Columbia's Motion for an Order of Condemnation and for Preliminary Injunction, (ECF Nos. 6, 118). Columbia may immediately access and possess the relevant easements after satisfying the conditions enumerated in Judge Keeley's opinion, (*see* ECF No. 213-2 at 24–27; ECF No. 213-3 at 24–27), except all deposits shall be made with the Clerk of this Court. Consistent with those conditions, the Court further **ORDERS** Columbia to deposit funds and a surety bond prior to accessing and taking possession of the properties.

**IT IS SO ORDERED.**

The Court **DIRECTS** the Clerk to send a copy of this Order to counsel of record and any unrepresented party.

ENTER:        March 5, 2018

A handwritten signature in blue ink, appearing to read 'Th. Johnston', is written over a horizontal line.

THOMAS E. JOHNSTON, CHIEF JUDGE